

<p style="text-align: center;">REQUEST For CONTINUED EXAMINATION (RCE) TRANSMITTAL</p> <p style="text-align: center;">Address to: MAIL STOP RCE COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450</p> <p>(Revised 09/2003)</p>	Application Number: 09/942,872
	Filing Date: August 30, 2001
	First Named Inventor: Robert R. Wampler
	Art Unit: 2121
	Examiner Name: Perez Daple, Aaron C.
	Confirmation No.: 9504
Attorney Docket No.: 038190/233787	
<p>This is a request for <u>Continued Examination (RCE)</u> under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.</p>	

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ii. ☐ Other
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavits(s)/Declarations(s)
- iii. ☐ Information Disclosure Statement (IDS); of cites listed on PTO Form 1449
- iv. ☒ Other: **Preliminary Amendment**

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of ___ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other

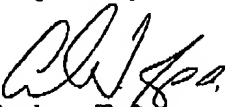
06/08/2004 ERL1 00000001 100505 09542872

01 FC:1801 770.00 Dr

In re: Robert R. Wampler
Appl. No.: 09/942,872
Filed: August 30, 2001
Page 2

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. The Director is hereby authorized to charge any fee deficiencies, or credit any overpayments to Deposit Account No. 16-0605.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
(\$770.00 large entity; \$385.00 small entity) **(\$770.00)**
- ii. ☒ Extension of Time Fee (37 C.F. R. §§ 1.136 and 1.17)
- iii. ☐ Other
- b. ☐ Check in the amount of \$___ enclosed

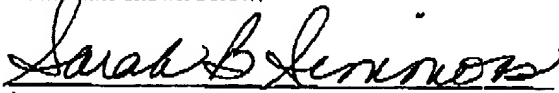
Respectfully submitted,


Andrew T. Spence
Registration No. 45,699

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax No. (703) 872-9306 on the date shown below.


Sarah B. Simmons

June 1, 2004
Date

CLT01/4650098v1